

PS 8
(Rev. 5/02 WVN)

**UNITED STATES DISTRICT COURT
for the
Northern District of West Virginia**

U.S.A. vs. BARRY LEE STADLER

Docket No.: 5:22CR29

Petition for Action on Conditions of Pretrial Release

COMES NOW CORY W. BISH, U. S. PRETRIAL SERVICES OFFICER, presenting an official report upon the conduct of defendant, Barry Lee Stadler, who was placed under pretrial release supervision by the Honorable James P. Mazzone, sitting in the Court at Wheeling, West Virginia, on August 30, 2022, under the following conditions:

See attached Conditions of Release

Respectfully presenting petition for action of court for cause as follows:

<u>Violation Number</u>	<u>Nature of Non-Compliance</u>
1	<p>The defendant has violated conditions (1), (7)(f), and (7)(r). On February 4, 2023, the defendant was involved in a traffic accident in Springfield, Illinois, and then fled the scene. A police officer contacted the defendant, but the defendant refused to return or meet to make a crash report. The defendant then received citations for the offenses of Leaving the Scene of an Accident-Vehicle Damage, Operating Uninsured Motor Vehicle, and Failure to Reduce Speed/Accident to Avoid Accident. (See attached copy of Illinois Traffic Report and Citations.)</p> <p>The defendant did not have permission to travel to Springfield, Illinois, and failed to notify his supervising officer of the law enforcement contact.</p>

PETITIONING THE COURT

- ☒ To issue a warrant
☐ To issue a summons
☐ Neither

PS8

PS8 Petition for Action on Conditions of Pretrial Release

Note: The defendant's pretrial supervision is being conducted by the Western District of Michigan – Grand Rapids, as the defendant is a resident of that district. The defendant is being supervised by United States Probation Officer Kristina Snow. On August 30, 2022, the defendant appeared before The Honorable James P. Mazzone, in Wheeling, West Virginia, and entered a plea of guilty to Count One of the Indictment. Sentencing remains pending.

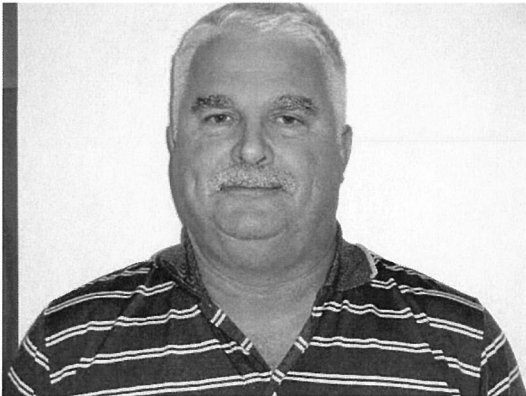
U. S. Pretrial Services Officer Recommendation:

The term of supervision should be:

☒ Revoked

☐ No action taken at this time

☐ The conditions of supervision should be modified as follows:



Respectfully,

A handwritten signature in cursive script that reads "Cory W. Bish". The signature is written in dark ink and is positioned above a horizontal line.

Cory W. Bish
U. S. Pretrial Services Officer
Place: Wheeling, West Virginia
Date: February 23, 2023

PS8

PS8 Petition for Action on Conditions of Pretrial Release

THE COURT ORDERS

- ☐ No action
☒ The Issuance of a Warrant
☐ The Issuance of a Summons
☐ Other

ORDER OF COURT

Considered and ordered this 23 day
of Feb, 20 23 and ordered filed
and made a part of the records in the above
case.



U. S. District Judge/Magistrate

UNITED STATES DISTRICT COURT

for the

Northern District of West Virginia

United States of America

v.

BARRY LEE STADLER

Defendant

) Case No. 5:22-CR-29
)
)
)
)
)

FILED

AUG 30 2022

U.S. DISTRICT COURT-WVND
WHEELING, WV 26003

ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate federal, state, or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 42 U.S.C. § 14135a.
- (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
- (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear at:

1125 Chapline Street, Wheeling, WV 26003

Place

on

TO BE DETERMINED

Date and Time

- (5) The defendant must sign an Appearance Bond, if ordered.

ADDITIONAL CONDITIONS OF RELEASE

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

- () (6) The defendant is placed in the custody of:

Person or organization

Address (only if above is an organization)

City and state

Tel. No.

who agrees to (a) supervise the defendant, (b) use every effort to assure the defendant's appearance at all court proceedings, and (c) notify the court immediately if the defendant violates a condition of release or is no longer in the custodian's custody.

Signed: _____

ADDITIONAL CONDITIONS OF RELEASE

Custodian

Date

- (X) (7) The defendant shall:
- (X) (a) submit to supervision by and report for supervision to United States Probation
telephone number 304-232-8474 no later than AS DIRECTED
 - (X) (b) continue or actively seek employment.
 - () (c) continue or start an education program.
 - (X) (d) surrender any passport to: Clerk WVND
 - (X) (e) not obtain a passport or other international travel document.
 - (X) (f) abide by the following restrictions on personal association, residence, or travel: travel restricted to Northern District of West Virginia unless approved in advance by Pretrial Services.
 - (X) (g) avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, including: anyone who is named in the indictment/information against you unless that person is your spouse, child, parent or sibling.
 - () (h) get medical or psychiatric treatment: _____
 - () (i) return to custody each _____ at _____ o'clock after being released at _____ o'clock for employment, schooling, or the following purposes: _____
 - () (j) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.
 - (X) (k) not possess a firearm, destructive device, or other weapon.
 - (X) (l) not consume alcohol.
 - (X) (m) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a medical practitioner.
 - (X) (n) submit to testing for a prohibited substance if required by the pretrial services office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.
 - (X) (o) participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.
 - () (p) participate in one of the following location restriction programs and comply with its requirements as directed.
 - () (i) **Curfew.** You are restricted to your residence everyday from _____ to _____ or as directed by the pretrial services office or supervising officer; or
 - () (ii) **Home Detention.** You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities approved in advance by the pretrial services office or supervising officer; or
 - () (iii) **Home Incarceration.** You are restricted to 24-hour-a-day lock-down at your residence except for medical necessities and court appearances or other activities specifically approved by the court.
 - () (q) submit to location monitoring as directed by the pretrial services office or supervising officer and comply with all of the program requirements and instructions provided.
 - () You must pay all or part of the cost of the program based on your ability to pay as determined by the pretrial services office or supervising officer.
 - (X) (r) report as soon as possible, to the pretrial services office or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.
 - (X) (s) not purchase, possess or use any paraphernalia related to any controlled substance.
 - (X) (t) not purchase, possess or consume any organic or synthetic intoxicants, including bath salts, synthetic cannabinoids or other designer stimulants, and shall not frequent places that sell or distribute synthetic cannabinoids or designer stimulants.
 - (X) (u) not abuse prescription medication.
 - (X) (v) shall be prohibited from possessing a potentially vicious or dangerous animal or residing with anyone who possesses a potentially vicious or dangerous animal. The Probation Officer has sole authority to determine what animals are considered to be potentially vicious or dangerous.
 - () (w) participate in a program of mental health counseling if directed by the pretrial services office or supervising officer.

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

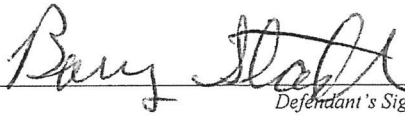
If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.

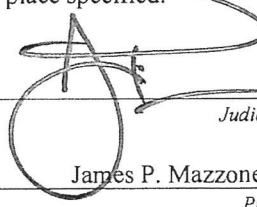

 Defendant's Signature

 City and State

Directions to the United States Marshal

- () The defendant is ORDERED released after processing.
- () The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date: 8-30-22


 Judicial Officer's Signature
 James P. Mazzone, United States Magistrate Judge
 Printed name and title

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICE U.S. ATTORNEY U.S. MARSHAL

COMPLAINT		ILLINOIS CITATION AND COMPLAINT Springfield Police Department		E131006	
COURT CASE # COURT PLACE COUNTY OF SANGAMON VS. PEOPLE STATE OF ILLINOIS		BEST OF OCCURRENCE 100		ISP DIST. ASSIGN. _____	
		CITY OF SPRINGFIELD		DCN: _____	
		VIOLATOR COPY		_____	
DEFENDANT	NAME STADLER BARRY		SID # LEE		FEMALE <input type="checkbox"/> MALE <input checked="" type="checkbox"/>
	ADDRESS STREET _____ Apt. # _____		EYES BROWN		
	CITY STATE ZIP HUDSONVILLE MI 49426		HAIR _____		
	DR. LIC. _____ STATE CDL N EXPIR. DATE 06/26/2024 DOB _____		HEIGHT 5'11"		
VEHICLE	REG. NO. EKB7159		STATE MI		US DOT # _____
	MAKE CHEVROLET		YEAR 2015		
	TYPE 054 TRUCK		COLOR BLACK		
	VEHICLE USE: COMMERCIAL MOTOR VEHICLE PLACARDED HAZ. MATERIAL 16 OR MORE PASS. VEHICLE		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		
The undersigned states that on 02/04/2023 at 02:47 PM Defendant did unlawfully operate: REG. NO. EKB7159 STATE MI MO/YEAR 2015 US DOT # _____ MAKE CHEVROLET YEAR 2015 COLOR BLACK TYPE 054 TRUCK VEHICLE USE: COMMERCIAL MOTOR VEHICLE YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> PLACARDED HAZ. MATERIAL YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> 16 OR MORE PASS. VEHICLE YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>					
Located in the County and State Aforesaid and Did Then and There Commit the Following Offense <input checked="" type="checkbox"/> ILCS Leaving the Scene of an Accident - Vehicle Damage - Class A Chapter 625 Art. 5.0 Section 11-402-A Nature of Offense _____					
INCIDENT	ACCIDENT TYPE: VEHICLE/OTHER PROPERTY DAMAGE Report No.: _____ CAD No.: _____ Visibility: _____ Road Conditions: Dry Method: _____ Notations: _____				
	RELEASE See Companion Citation #02/04/2023				
COURT PLACE	CIRCUIT COURT LOCATION, DATE AND TIME SANGAMON COUNTY COURT Court Location: 200 S. Ninth - Courtroom 6C Springfield, IL 62701 Date: 03/07/2023 Time: 09:00 AM <input checked="" type="checkbox"/> COURT APPEARANCE REQUIRED SEE INSTRUCTIONS ON THE RIGHT				
	Under penalties as provided by law for false certification pursuant to Section 1-109 of the Code of Civil Procedure and perjury pursuant to Section 32-2 of the Criminal Code of 2012, the undersigned certifies that the statements set forth in this instrument are true and correct. 02/04/2023 Date B. McGill 675 Officer Signature: B. MCGILL ID# 675				

Read These Instructions Carefully

Your ticket has been marked ☒ COURT APPEARANCE. You are required to come to court on the date, time and place noted in the COURT PLACE/DATE section on the ticket.

However if you want to plead "NOT GUILTY", complete the "Avoid Multiple Court Appearances" and mail to the clerk of the court identified in the COURT PLACE/DATE section.

FAILURE TO APPEAR - ADMONISHMENTS TO THE VIOLATOR

The method of release is noted in the "Release" section. The method of release is determined by the method of release whether your ticket is marked "Court Appearance Required" or "Required" and may result in either a judgment of conviction, fine, penalties, assessments, and costs as provided in the NOTICE OF JUDGMENT; or, the court may order other consequences.

NOTICE TO APPEAR

The court may issue a warrant for your arrest.

NOTICE OF CONSENT FOR ENTRY OF JUDGMENT

If you were charged with an offense which does not require a court appearance, YOU ARE HEREBY NOTIFIED THAT

If you do not satisfy the charge(s) against you prior to the date set for your appearance or any date to which the appearance is continued, you do not submit a written plea of guilty, clerk at least three (3) days before the date, and you fail to answer the charge(s) or appear in court when required, thereby consent to the entry of a judgment of conviction against you in the amount of the statutory minimum fine for the offense as provided in the applicable schedule for the charge offense as provided in the Criminal and Traffic Assessment (705 ILCS 135/1 et seq.). The total amount assessed may be greater than the amount assessed on a guilty plea. Any bail or other security you have deposited will be applied to payment. If you are an Illinois Driver and you fail to pay any judgments imposed, a notice will be sent to the State of Illinois and your driver's license will not be renewed or reclassified, until full payment is received.

ILLINOIS CITATION AND COMPLAINT
Springfield Police Department **E131007**

DCN: [REDACTED]

VIOLATOR COPY

COMPLAINANT
Court Case # [REDACTED] Best of Occurrence 100 ISP Dist. Assign. [REDACTED]
County of SANGAMON City of SPRINGFIELD
☒ PEOPLE STATE OF ILLINOIS VS. [REDACTED]

DEFENDANT
NAME: STADLER BARRY SID # LEE
LAST FIRST MIDDLE NAME
ADDRESS [REDACTED] Apt. # [REDACTED]
STREET [REDACTED] CITY ST. [REDACTED] HUDSONVILLE MI 49426
DR. LIC. [REDACTED] STATE COL N EXPR. DATE 06/28/2024 DOB [REDACTED]
The undersigned states that on 02/04/2023 at 02:47 PM
Defendant did unlawfully operate:

VEHICLE
REG. NO. EKB7158 STATE MI MO/YEAR 2023 US DOT # [REDACTED]
MAKE CHEVROLET YEAR 2015 COLOR BLACK
TYPE 064 TRUCK
VEHICLE USE:
COMMERCIAL MOTOR VEHICLE YES ☐ NO ☒
FLAHOOT'S WAZ MATERIAL YES ☐ NO ☒
15 OR MORE PASS. VEHICLE YES ☐ NO ☒

OR as a Pedestrian or Passenger, and upon a Public Highway, or other location, Specifically
NORTHFIELD DR AT N DIRKSEN PKY
Located in the County and State Addressed and Did Then and There Commit the Following Offense:
☒ ILCS
Operating Uninsured Motor Vehicle (No Insurance)
Chapter 625 Art. 5.0 Section 3-707
Nature of Offense

INCIDENT
ACCIDENT TYPE: VEHICLE/OTHER PROPERTY DAMAGE
Report No.: CAD No.:
Visibility: Road Conditions: Dry
Method: Notations:

RELEASE
See Companion Citation #02/04/2023

Court Plc'd 016
CIRCUIT COURT LOCATION, DATE AND TIME
SANGAMON COUNTY COURT
Court Location:
200 S. Ninth - Courtroom 6C
Springfield, IL 62701
Date: 02/07/2023 Time: 09:00 AM
☒ COURT APPEARANCE REQUIRED
SEE INSTRUCTIONS ON THE RIGHT

Under penalties as provided by law for false certification pursuant to Section 1-109 of the Code of Civil Procedure and perjury pursuant to Section 32-2 of the Criminal Code of 2012, the undersigned certifies that the statements set forth in this instrument are true and correct.
Date 02/04/2023
Officer Signature: B. MCGILL ID# 675

Read These Instructions
Your ticket has been marked ☒ COURT to come to court on the date, time and place on the ticket.
However if you want to plead "NOT GUILTY" entitled "Avoid Multiple Court Appearances" as identified in the COURT PLACE/DATE section FAILURE TO APPEAR - ADMONISHMENTS.
The method of release is noted in the "Release" appear or pay this ticket is determined by the method whether your ticket is marked "Court Appearance Required" and may result in either a judgment of fine, penalties, assessments, and costs as provided ENTRY OF JUDGMENT; or, the court may order.

NOTICE TO APPEAR
The court may issue a warrant for your arrest.

NOTICE OF CONSENT FOR ENTRY OF COURT
If you were charged with an offense which requires court appearance, YOU ARE HEREBY NOTIFIED.
If you do not satisfy the charge(s) against you by the date set for your appearance or any date to which the court has continued, you do not submit a written plea to the clerk at least three (3) days before the date, answer the charge(s) or appear in court when directed, you hereby consent to the entry of a judgment of conviction against you in the amount of the statutory minimum fine or assessment in the applicable schedule for the offense as provided in the Criminal and Traffic Code (705 ILCS 130/1 et seq.). The total amount assessed shall be greater than the amount assessed on a guilty plea or other security you have deposited with the court. If you are an Illinois Driver and you have any judgments imposed, a notice will be sent to you by the State and your driver's license will not be renewed or reclassified, until full payment is received.

COMPLAINT		ILLINOIS CITATION AND COMPLAINT Springfield Police Department		E131008	
Court Case #		Best of Occurrence		ISP Dist. Assign.	
County of SANGAMON		City of SPRINGFIELD			
<input checked="" type="checkbox"/> PEOPLE STATE OF ILLINOIS		VS.			
NAME STADLER		BARRY		SID # LEE	
LAST		FIRST		MIDDLE NAME	
ADDRESS		EYES		<input type="checkbox"/> FEMALE <input checked="" type="checkbox"/> MALE	
STREET		Appt. #		BROWN	
CITY STATE ZIP		HAIR		HEIGHT	
HUDSONVILLE MI 49426		5' 11"		235	
DR. LIC.		STATE		CDL	
		N		05/26/2024	
The undersigned states that on: 02/04/2023		at: 02:47 PM			
Defendant did unlawfully operate:		REG. NO.		STATE	
		MI		2023	
MAKE		YEAR		COLOR	
CHEVROLET		2015		BLACK	
TYPE		VEHICLE USE:		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
054 TRUCK		COMMERCIAL MOTOR VEHICLE		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
		FLAHOOD HAZ. MATERIAL		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
		OR MORE PASS. VEHICLE		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
Or as a Pedestrian or Passenger, and upon a Public Highway, or other location. Specifically					
NORTHFIELD DR AT N DIRKSEN PKY					
Located in the County and State Allowed and Did Then and There Commit the Following Offense					
<input checked="" type="checkbox"/> ILCS					
Fail to Reduce Speed/Accident to Avoid Accident - Petty Offense					
MPH in a MPH Zone					
Chapter 625 Act 5.0 Section 11-601-A					
Nature of Offense					
ACCIDENT TYPE: VEHICLE/OTHER PROPERTY DAMAGE					
Report No.: CAD No.:					
Visibility: Road Conditions: Dry					
Method: Notations:					
RELEASE					
See Companion Citation #02/04/2023					
CIRCUIT COURT LOCATION, DATE AND TIME					
SANGAMON COUNTY COURT					
Court Location:					
200 S. Ninth - Courtroom 6C					
Springfield, IL 62701					
Date: 03/07/2023 Time: 09:00 AM					
<input checked="" type="checkbox"/> COURT APPEARANCE REQUIRED					
SEE INSTRUCTIONS ON THE RIGHT					
Under penalties as provided by law for false certification pursuant to Section 1-109 of the Code of Civil Procedure and perjury pursuant to Section 32-2 of the Criminal Code of 2012, the undersigned certifies that the statements set forth in this instrument are true and correct.					
02/04/2023					
Date					
B. M. McGill 675					
Officer Signature: B. MCGILL ID# 675					

Read These Instructions Carefully

Your ticket has been marked ☒ COURT APPEARANCE. You must come to court on the date, time and place noted in the COURT APPEARANCE section of the ticket.

However if you want to plead "NOT GUILTY", complete the "Pleadings" section of the ticket and mail to the clerk of the court identified in the COURT APPEARANCE section.

FAILURE TO APPEAR - ADMONISHMENTS TO THE VIOLATOR

The method of release is noted in the "Release" section. The violator must appear or pay this ticket is determined by the method of release whether your ticket is marked "Court Appearance Required" or "Required" and may result in either a judgment of conviction before the court, penalties, assessments, and costs as provided in the NOT ENTRY OF JUDGMENT; or, the court may order other consequences.

NOTICE TO APPEAR

The court may issue a warrant for your arrest.

NOTICE OF CONSENT FOR ENTRY OF JUDGMENT

If you were charged with an offense which does not require a court appearance, YOU ARE HEREBY NOTIFIED THAT

If you do not satisfy the charge(s) against you prior to the date set for your appearance or any date to which the court is continued, you do not submit a written plea of guilty, clerk at least three (3) days before the date, and you fail to answer the charge(s) or appear in court when required, thereby consent to the entry of a judgment of conviction against you in the amount of the statutory minimum fine, the assessment in the applicable schedule for the charge, or as provided in the Criminal and Traffic Assessment (705 ILCS 135/1 et seq.). The total amount assessed will be greater than the amount assessed on a guilty plea. An appeal or other security you have deposited will be applied to payment. If you are an Illinois Driver and you fail to pay any judgments imposed, a notice will be sent to the Department of State and your driver's license will not be renewed or reclassified, until full payment is received.